

§ 575.205

5 CFR Ch. I (1–1–03 Edition)

(2) In determining whether a relocation bonus should be paid and in determining the amount of any such payment, an agency shall consider the following factors, as applicable in the case at hand:

(i) The success of recent efforts to recruit candidates for similar positions, including indicators such as offer acceptance rates, the proportion of positions filled, and the length of time required to fill similar positions;

(ii) Recent turnover in similar positions;

(iii) Labor market factors that may affect the ability of the agency to recruit candidates for similar positions now or in the future; and

(iv) Special qualifications needed for the position.

(d) *Exceptions to case-by-case approval.* The head of an agency may waive, for a specified period of time, the case-by-case approval requirement for any employee whose rating of record is at least Level 3 (“Fully Successful” or equivalent), when—

(1) The employee is a member of a specified group of employees subject to a mobility agreement, and the head of the agency determines that relocation bonuses are necessary to ensure the agency’s ability to retain employees subject to such an agreement; or

(2) A major organizational unit of the agency is relocated to a different commuting area, and the head of the agency determines that relocation bonuses are necessary for specified groups of employees to ensure the continued operation of that unit without undue disruption of an activity or function that is deemed essential to the agency’s mission and/or without undue disruption of service to the public.

[56 FR 12838, Mar. 28, 1991, as amended at 57 FR 37399, Aug. 19, 1992; 60 FR 33326, June 28, 1995]

§ 575.205 Payment of relocation bonus.

(a) A relocation bonus shall be calculated as a percentage of the employee’s annual rate of basic pay and paid as a lump sum. Except as provided in paragraph (b) of this section, the amount of a relocation bonus may not exceed 25 percent of the employee’s annual rate of basic pay. It shall not be

considered part of an employee’s rate of basic pay for any purpose.

(b) The amount of a relocation bonus may not exceed the greater of \$15,000 or 25 percent of a law enforcement officer’s annual rate of basic pay in the case of—

(1) A law enforcement officer, as defined in § 550.103 of this chapter, with respect to whom the provisions of chapter 51 of title 5, United States Code, apply;

(2) A member of the United States Secret Service Uniformed Division;

(3) A member of the United States Park Police;

(4) A special agent within the Diplomatic Security Service;

(5) A probation officer (referred to in section 3672 of title 18, United States Code); and

(6) A pretrial services officer (referred to in section 3153 of title 18, United States Code).

(c) Before a relocation bonus may be paid to an employee, the employee must establish a residence in the new commuting area.

[56 FR 12838, Mar. 28, 1991, as amended at 57 FR 37399, Aug. 19, 1992; 58 FR 3201, Jan. 8, 1993; 60 FR 33326, June 28, 1995; 64 FR 69182, Dec. 10, 1999]

§ 575.206 Service agreement.

Before a relocation bonus may be paid, an agency shall require that the employee sign a written service agreement to complete a specified period of employment with the appointing agency (or the successor agency in the event of a transfer of function) at the new duty station.

[60 FR 33327, June 28, 1995]

§ 575.207 Repayment of relocation bonus.

(a) Except as provided in paragraph (d) of this section, an employee who fails to complete the period of employment established under a service agreement shall be indebted to the Federal Government and shall repay the relocation bonus on a pro rata basis. The amount to be repaid shall be determined by providing credit for each full month of employment completed by the employee under the service agreement.